

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

February 26, 1980

SECRET ATTACHMENT

MEMORANDUM FOR: COUNTERINTELLIGENCE WORKING
GROUP MEMBERS

SUBJECT: Minutes of the February 5 CIWG Meeting

Attached are the minutes of the February 5 CIWG meeting,
which General Rosenberg chaired in my absence.

The meeting covered some new and interesting ground, and I
thank all who contributed to its substance.

D. P. Gregg
Donald P. Gregg
NSC Staff Member

Attachment

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NSC review completed.

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MINUTES OF SCC/COUNTERINTELLIGENCE
WORKING GROUP MEETING

Date: Tuesday, 5 February 1980

Time: 2:00-4:20 p.m.

Place: Room 305, Old Executive Office Building

Participants:

State

Emerson M. Brown, INR
Robert L. Flanegin, INR
James V. Doane, Jr., EUR/SOV
Michael Coughlin, SY/SAS

DoD

L. Britt Snider, OSD
Rowland A. Morrow, OSD

JCS

[Redacted Box]

DIA
, DIA

25X1

Justice

Kenneth Bass
A. R. Cinquegrana

DCI

[Redacted Box]

Robert W. Gambino, SECOM

25X1

FBI

William O. Cregar
James M. Sturgis

[Redacted Box]

25X1

NSC

Robert Rosenberg, Chairman

1. Differing Personnel Security Clearance/Investigative Standards Within the Intelligence Community.

Mr. Robert Gambino, Chairman of the DCI Security Committee, reported on the problem of differing personnel security clearance/investigative standards, issues still remaining and the assistance desired from the SCC/CIWG. The outline of his presentation is attached (Attachment 1).

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Action:

The Security Committee Staff, acting for the SCC/CIWG, will study the problem of differing personnel security clearance/investigative standards from a Government-wide viewpoint, not limited to the Intelligence Community. It will make recommendations for a national clearance/investigative standards policy for the entire Government. Target date for submission to the Chairman, SCC/CIWG: 15 June 1980.

2. Authoritative Identifications of Critical Technology for Protection

25X1 [] Chairman, DCI Committee on Exchanges (COMEX),
 25X1 and [] Executive Secretary of COMEX, spoke summarily on the COMEX program for developing lists of critical or sensitive technologies, drawing from the attached status report (Attachment 2). Mr. Snider discussed briefly the DoD program under DDR&E for developing general Critical Technology Areas lists using the Institute for Defense Analyses. The ensuing discussion of the adequacy and usages of these efforts to protect against foreign intelligence service exploitation of visitors to the U.S. highlighted the enormous size of the foreign visitor flow, especially of East European visitors who can and do serve as Soviet surrogates but are governed by different policies than those covering the USSR. The numbers involved strain the limited resources of the State and FBI.

Actions:

- a. The NSC Staff will relook at PD-21, U.S. Policy Toward Eastern Europe, to assess its adequacy in the light of changed international circumstances.

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b. State will distribute to all SCC/CIWG members copies of current State policies at its Headquarters and at its posts abroad concerning U.S.-Eastern Europe relationships.

3. Intensified Counterintelligence Actions Against the USSR.

The pros and cons of ten specific counterintelligence measures directed against the USSR as part of a phased reaction over time to the Soviet attack on Afghanistan were discussed using a listing prepared and distributed prior to the meeting by the DCI representative.

Four other measures were suggested by FBI, DoD and Justice representatives, respectively, and were similarly considered. In addition to the substantive discussions over specific measures, State raised a question regarding possible conflict with decisions reached by an NSC-presided ad hoc interagency steering group considering the overall problem of U.S.-Soviet relations.

Actions:

a. The NSC Staff will check to ensure full compatibility of SCC/CIWG-suggested measures with decisions reached or actions taken elsewhere in the NSC/White House arena.

b. Based on that check, the DCI representative will be tasked accordingly to prepare a revised list of suggested counterintelligence measures against the USSR which will also take into account the discussion at the CIWG meeting. This will be provided to the CIWG Chairman for further appropriate transmittal and consideration.

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4. Next National Assessment of Hostile Intelligence Services
Multidisciplinary Threat and U.S. Countermeasures

Present planning is for the next national counterintelligence assessment to be short, primarily countermeasure-oriented and multidisciplinary in coverage. Detailed terms of reference will be worked out in consultation with and with inputs from Community agencies. Suggestions made by CIWG members included (a) ensuring that there is sufficient exposition of threats to adequately justify countermeasure recommendations, and (b) highlighting any key problems impeding the development of a coherent and effective national counterintelligence program.

Action:

The National Multidisciplinary Counterintelligence Threat and Countermeasures Assessment Center established by the SCC/CI will develop terms of reference in consultation with Community agencies and obtain inputs for the preparation of the next national assessment.

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Attachment 1

TASK OUTLINE

1. IDENTIFY CI PROBLEMS WITH DIFFERING SECURITY CLEARANCE/INVESTIGATIVE STANDARDS WITHIN INTELLIGENCE COMMUNITY.
2. OUTLINE SECURITY COMMITTEE EFFORTS TO RESOLVE THEM.
3. IDENTIFY ISSUES STILL REMAINING.
4. ESTIMATE PROSPECTS FOR SETTLEMENT.
5. IDENTIFY SUPPORT NEEDED BY CI WG.

PROBLEMS

- ① LACK OF NATIONAL POLICY GUIDANCE ON REQUIREMENTS FOR BACKGROUND INVESTIGATIONS.

- E.O. 10450 REQUIRES "FULL FIELD" INVESTIGATION BUT DOES NOT DEFINE IT.
- INTERPRETED MANY WAYS. SOME INVESTIGATIONS ARE SO INSUFFICIENT AS TO FAIL TO ESTABLISH IDENTITY OF SUBJECT.

- ② BROAD INTERPRETATION OF REQUIREMENT TO IDENTIFY "SENSITIVE POSITIONS" IN GOVERNMENT
COROLLARY - INTELLIGENCE COMMUNITY'S INABILITY TO IDENTIFY SEPARATELY THOSE REQUIRING ACCESS TO NATIONAL FOREIGN INTELLIGENCE FROM THOSE REQUIRING ACCESS TO LARGER CATEGORY OF NATIONAL DEFENSE CLASSIFIED INFORMATION.

- ③ FORCED ECONOMIES

REDUCTION IN RESOURCES IN 1968 STARTED REDUCTION IN COVERAGE. NOW HAVE MANY AGENCIES REDUCING COVERAGE FROM 15 YEARS TO 7 OR EVEN 5 YEARS. ALSO SEE USE OF SHORT FORM REPORTING WITH CORRESPONDING LACK OF POSITIVE DATA FOR USE IN ADJUDICATIVE PROCESS.

- QUESTIONS ABOUT WORTH OR VALIDITY/RELIABILITY
OF SOME INVESTIGATIVE/CLEARANCE PROCEDURES, E.G.,
PERSONAL INTERVIEWS
POLYGRAPH
- INCREASING RESISTANCE TO ACCESS TO CRIMINAL
JUSTICE RECORDS.
- PRESIDENTIAL APPROVAL OF APEX SPECIAL ACCESS
CONTROL SYSTEM WILL MAKE CONSIDERABLE AMOUNT OF
FORMERLY COMPARTMENTED INTELLIGENCE AVAILABLE
IN THE COLLATERAL FIELD AND OFFER ACCESS POTENTIAL
TO THOSE CLEARED TO SECRET LEVEL.

SECOM EFFORTS AT SOLUTIONS

- ① ATTEMPTED TO SECURE REVISION OF E.O. 10450
TO MORE CLEARLY SET FORTH REQUIREMENTS FOR
BACKGROUND INVESTIGATIONS.

NO SUCCESS.

- ① ATTEMPTED TO SEEK SEPARATION OF PERSONNEL
REQUIRING ACCESS TO NATIONAL FOREIGN INTELLIGENCE
FROM THOSE CLEARED FOR NATIONAL DEFENSE CLASSIFIED
INFORMATION.

REJECTED AS TOO COSTLY.

- ① ATTEMPTED TO SEEK COMMUNITY AGREEMENT TO UPGRADE
BACKGROUND INVESTIGATION REQUIREMENTS FOR THOSE
WITH ACCESS TO NFI.

REJECTED AS TOO COSTLY.

- ① STIMULATED COMMUNITY THINKING ON NEW APPROACHES
TO BACKGROUND INVESTIGATIONS.

ENCOURAGED USE OF PERSONAL INTERVIEWS AND
USE OF POLYGRAPH.

- ① RETAINED REQUIREMENTS FOR 15 YEARS BACKGROUND
INVESTIGATION (DCID 1/14) AS CONDITION FOR
ACCESS TO APEX MATERIAL.

• PROPOSED COMMON ADJUDICATION GUIDELINES.

ACCEPTED BY ENTIRE COMMUNITY EXCEPT NSA.

• ENCOURAGE AND SUPPORT HILL INTEREST IN THE BACKGROUND INVESTIGATION ISSUE.

- STUDYING HPSCI REPORT RECOMMENDATIONS.
- FOLLOWING DIS INTEREST IN GAO REPORT.

"COSTS OF FEDERAL PERSONNEL SECURITY INVESTIGATIONS COULD AND SHOULD BE CUT."
AUGUST 1979.

• CONDUCTING A SURVEY TO INVESTIGATE SIGNIFICANT FACTORS OF BACKGROUND INVESTIGATIONS. SHOULD INDICATE:

- BEST PERIOD OF COVERAGE
- MOST PRODUCTIVE AND LEAST PRODUCTIVE SOURCES AND PROCEDURES.

• SUPPORTING HPSCI EFFORTS TO GENERATE LEGISLATION PERMITTING ACCESS TO CRIMINAL JUSTICE RECORDS.

• INVESTIGATING AND STUDYING THE ADVISABILITY AND FEASIBILITY OF ESTABLISHING A TRAINING PROGRAM FOR INVESTIGATORS AND ADJUDICATORS IN THE INTELLIGENCE SECTOR.

• ENCOURAGE AND ENDORSE A PROPER LEVEL OF FUNDING IN BUDGET OF SECOM MEMBER AGENCIES TO FIELD AN ADEQUATE INVESTIGATIVE EFFORT.

ISSUES STILL REMAINING

- COMMUNITY JUST BEGINNING TO ADDRESS THIS ISSUE.
- MUST FIND SOME WAY TO ESTABLISH VIABLE COMMON INVESTIGATIVE/CLEARANCE PROCEDURES.
 - WILLING TO STUDY PROS AND CONS OF IDEA OF SINGLE INVESTIGATIVE AGENCY BUT DOUBT THE VIABILITY OF THIS CONCEPT.
 - WILL CONTINUE TO SEEK DEFINITIONS OF POPULATION NEEDING ACCESS TO NATIONAL FOREIGN INTELLIGENCE AND TRY TO UPGRADE BACKGROUND INVESTIGATION REQUIREMENTS.
- RESOLUTION OF QUESTIONS ABOUT ALTERNATIVE, SUPPLEMENTAL INVESTIGATIVE PROCEDURES.
 - THE PERSONAL INTERVIEW
 - THE POLYGRAPH
- A STANDARD REINVESTIGATION PROGRAM
- ACCEPTABILITY OF THE IDEA OF A TRAINING PROGRAM FOR INVESTIGATORS AND ADJUDICATORS
- LEGISLATION TO EASE ACCESS TO CRIMINAL JUSTICE RECORDS.
- ADEQUATE FINANCIAL AND MANPOWER RESOURCES.

ASSISTANCE DESIRED FROM CI WG

- RECOGNITION OF THE EXISTENCE OF THE PROBLEMS AT HIGH REACHES OF THE GOVERNMENT.
- NATIONAL POLICY LEVEL TASKING OF EXISTING GROUPS OR OF A NEWLY CONSTITUTED BROADER GROUP THAN THE INTELLIGENCE COMMUNITY MECHANISMS TO ADDRESS THE OVERALL ISSUE.
- IDENTIFICATION WITHIN THE INTELLIGENCE COMMUNITY OF A FOCAL POINT COORDINATOR FOR RELATIONSHIPS WITH THE "HILL" ON BACKGROUND INVESTIGATION MATTERS.
- CONTINUED INTEREST IN THESE PROBLEMS.

INTELLIGENCE COMMUNITY PERSONNEL SECURITY PRACTICES

Agency	Clears for Top Secret based on:			Investigative reports provide positive findings as well as negative ones
	B.I. covering _____ years	Other basis _____	Uses polygraph _____	
CIA	15	No	Yes	Yes
FBI	adult \ life	No	Yes ²	Yes
OPM	5	No	No	Yes
State	7	No	No	Yes
Treasury	5	No	Yes ²	No
Defense	5	Yes ¹	No	No
NSA	15	No	Yes ³	No

1/ for active duty military based on NAC plus 10 years' service

2/ to resolve adverse data on "last resort" basis

3/ for civilian employees only

CIA and NSA have regular reinvestigation program. Others have it only for continuing access to Sensitive Compartmented Information (SCI).

National Agency Checks (NAC's), used to clear many persons for Secret and Confidential access (and Top Secret in Defense - footnote 1), only provide available record data on names checked. If names are fictitious, record responses are not checked further unless independent data shows clear need to do so (premise is that a "no record" response is basis for a positive finding).

ROUTING AND TRANSMITTAL SLIP

Date

27 Feb. 1980

TO: (Name, office symbol, room number,
building, Agency/Post)

Initials

Date

1. DCI Security Committee

ATTENTION:

2. Rm. 3D39 Hqs.

3.

4.

5.

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

Please note action requirement relating to
Agenda Item #1.

DO NOT use this form as a RECORD of approvals, concurrences, disposals,
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7D61 Hqs.

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